

Last revised 12/1/11

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:
Stephen Bonsick

Case No.: 13-19025

Judge: DHS

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: 9/6/13

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ 102.00 per month to the Chapter 13 Trustee, starting on May 1, 2013 for approximately 9 months. And \$734.00 per month for the remaining 51 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future earnings
 - ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Marie-Ann Greenberg	Trustee Commission	As provided for by statute
Nicholas Fitzgerald	Debtor's Counsel Fees	\$3,500

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
☒ Not less than 100 percent
☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
Salvator & Sandra Gencarelli	Residential Lease	As billed.

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with a Chapter 13 Plan Transmittal Letter, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Proof of Service must be filed with the Clerk of Court when the Plan and Transmittal Letter are served.

Where a motion to avoid liens or partially avoid liens has been filed in the plan, a proof of claim filed that asserts a secured claim that is greater than the amount to be paid in the plan serves as opposition to the motion, and serves as an objection to confirmation. The proof of claim shall be served in accordance with D.N.J. LBR 3015-6(a). The creditor shall file a proof of service prior to the scheduled confirmation hearing. In order to prosecute the objection, the creditor must appear at the confirmation hearing, which shall be the hearing on the motion. Failure to appear to prosecute the objection may result in the motion being granted and the plan being confirmed pursuant to the terms as set forth in the plan.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administrative/Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 6/14/13

Explain below **why** the plan is being modified:
To adjust the plan for all claims filed.

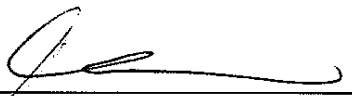
Explain below **how** the plan is being modified:
Part 1 is modified.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 9/9/13


Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: 9/9/13


Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Stephen J. Bonsick
 Debtor

Case No. 13-19025-DHS
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: dchrzano
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 48

Date Rcvd: Sep 09, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 11, 2013.

db
 513886631 +Stephen J. Bonsick, 73 Woodrow Ave, 2nd Floor, Woodland Park, NJ 07424-2755
 513886632 +Advanced Surgery Center of Clifton, LLC, PO Box 79, Bayonne, NJ 07002-0079
 513886636 +Amity Associates, 375 Route 10 E Ste 1r, Randolph, NJ 07869-2223
 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One Bank, C/O TSYS Debt Management, PO Box 5155, Norcross, GA 30091)
 513886637 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Citibank Sd, Na, Attn: Centralized Bankruptcy, Po Box 20363, Kansas City, MO 64195)
 513886633 +Candica LLC, Weinstein and Riley PS, PO Box 3978, Seattle, WA 98124-3978
 513886634 +Capital 1 Bank, Attn: Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285
 513886635 +Capital One Bank, PO Box 30285, Salt Lake City, UT 84130-0285
 513886638 +Cohen Dermatology, PO Box 414913, Boston, MA 02241-4913
 513886640 +Collection Acquisition Company, PO Box 1211, Oxford, MS 38655-1211
 513886641 +Contract Callers, Inc., 1058 Claussen Rd, Suite 110, Augusta, GA 30907-0301
 513886643 +Diversified Consultants / DCI Inc, T-Mobile, PO Box 551268, Jacksonville, FL 32255-1268
 513886644 +Elite Orthopedic and Sports Medicine, C/O Joseph Massood Esq, 50 packnack Lake Rd East, Wayne, NJ 07470-5834
 513886647 +FNCC/Legacy Visa, Attn: Bankruptcy, Po Box 5097, Sioux Falls, SD 57117-5097
 513886645 +First National Credit CA, 500 East 60th Street, N, Sioux Falls, SD 57104-0478
 513886646 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
 513886648 +Garden State Open MRI, 831 Main Avenue, Passaic, NJ 07055-8400
 513886654 IRS, Po Box 45250, Cincinnati, OH 45250
 513886650 +Immedicenter, 500 Union Boulevard, Totowa, NJ 07512-2579
 513886656 +Jidong Sun, MD, Bayshore Rhab Center Medicine, P.C., 2163 Oak Treet Rd, Suite 109, Edison, NJ 08820-1084
 513886657 +Joseph A Massood, Esq, 50 Packanack Lake Rd East, Wayne, NJ 07470-5834
 513886658 +Medical & Molecular Imaging Wayne, PO Box 531, Hackensack, NJ 07602-0531
 513886659 +New Jersey Spinal Care, 601 Hamburg Turnpike, Suite 101, Wayne, NJ 07470-2049
 513886660 +North Jersey Spine Group, LLC, 1680 Route 23 North, Suite 250, Wayne, NJ 07470-7520
 513886665 +PNC Bank, Customer Service, PO Box 609, Pittsburgh, PA 15230-0609
 513886666 ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
 (address filed with court: Portfolio Recovery, Attn: Bankruptcy, Po Box 41067, Norfolk, VA 23541)
 513886669 +PRA Receivables Management, LLC, As Agent of Portfolio Recovery Assocs., C/o Best Buy, PO Box 41067, Norfolk, VA 23541-1067
 513886668 +PRA Receivables Management, LLC, As Agent of Portfolio Recovery Assocs., C/o Orchard Bank, PO Box 41067, Norfolk, VA 23541-1067
 513886670 +PSE & G, PO Box 14444, New Brunswick, NJ 08906-4444
 513886661 +Passaic County Probation Division, Child Support Enforcement, 100 Hamilton Plaza, Paterson, NJ 07505-2109
 513886663 +Patriot's Home & Auto, PO Box 19003, Roanoke, VA 24019-1001
 513886664 +Pinnacle Financial Group, Dept. 673, PO Box 4115, Concord, CA 94524-4115
 513886671 +T-Mobile, PO Box 37380, Albuquerque, NM 87176-7380
 513886672 +Valley National Bank, a/a/f Heritage Financial Recovery Serv., 600 East crecent Avenue, Suite #304, Saddle River, NJ 07458-1899
 514007730 #+Yahaira Infante, 9503 Sidebrook Road, #401, Owings Mills, MD 21117-7638
 513886676 #+Yahira Infante, 9503 Sidebrook Rd, Apt 401, Owings Mills, MD 21117-7638
 514049491 #+Yahira Infante, 9503 Sidebrook Road #401, Owings Mills, MD 21117-7638

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg +E-mail/Text: leah.bynon@usdoj.gov Sep 09 2013 21:31:42 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2523

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Sep 09 2013 21:31:38 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235

513886642 +E-mail/Text: creditonebknotifications@resurgent.com Sep 09 2013 21:30:46 Credit One Bank, Po Box 98873, Las Vegas, NV 89193-8873

513936975 E-mail/PDF: mrdiscen@discoverfinancial.com Sep 09 2013 21:43:43 Discover Bank, DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025

513886649 +E-mail/Text: Bankruptcy@icsystem.com Sep 09 2013 21:31:43 I.C. System, Inc, 444 Highway 96 East, PO Box 64437, Saint Paul, MN 55164-0437

513886652 E-mail/Text: cio.bncmail@irs.gov Sep 09 2013 21:30:03 Internal Revenue Service, District Counsel, District of New Jersey, One Newark Center, Suite 1500, Newark, NJ 07102

513886651 +E-mail/Text: cio.bncmail@irs.gov Sep 09 2013 21:30:04 Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346

514188658 E-mail/Text: resurgentbknotifications@resurgent.com Sep 09 2013 21:30:38 LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

513914912 +E-mail/Text: rahim.hulandel@pseg.com Sep 09 2013 21:30:42 PSEG, PO BOX 490, Cranford, NJ 07016-0490, Att:Bankruptcy Dept

513886662 +E-mail/Text: dmcnulty@oakrock.com Sep 09 2013 21:31:37 Patriot's Home & Auto, Oak Rock Financial, LLC, PO Box 610, Bohemia, NY 11716-0610

District/off: 0312-2

User: dchrzano
Form ID: pdf901

Page 2 of 2
Total Noticed: 48

Date Rcvd: Sep 09, 2013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

513886673 +E-mail/Text: collect@williamsalexander.com Sep 09 2013 21:31:25 Waassociates, Po Box 2148, Wayne, NJ 07474-2148

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

513886653 Internal Revenue Service, PO Box 7346, Philadelphia, NJ
513886639* +Cohen Dermatology, PO Box 414913, Boston, MA 02241-4913
513886655* Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346
513886667* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery, Attn: Bankruptcy, Po Box 41067, Norfolk, VA 23541)
514179496* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery Associates, LLC, c/o Best Buy, POB 41067, Norfolk VA 23541)
514179497* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery Associates, LLC, c/o Orchard Bank, POB 41067, Norfolk VA 23541)
514007695* +Passaic County Probation Division, Child Support Enforcement, 100 Hamilton Plaza, Paterson, NJ 07505-2109
513886674* +Waassociates, Po Box 2148, Wayne, NJ 07474-2148
513886675* +Waassociates, Po Box 2148, Wayne, NJ 07474-2148

TOTALS: 1, * 8, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 11, 2013

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 9, 2013 at the address(es) listed below:

Marie-Ann Greenberg magecf@magtrustee.com
Nicholas Fitzgerald on behalf of Debtor Stephen J. Bonsick nickfitz.law@gmail.com
Ting Y. Wu on behalf of Debtor Stephen J. Bonsick beckywu.esq@gmail.com

TOTAL: 3